

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SUSAN COLBY, et al.,

Plaintiffs,

v.

VISIONWORKS OF AMERICA, INC.,

Defendant.

Case No. 1:25-cv-00387-JLT-SAB

ORDER RE: STIPULATION TO SET
DEADLINES FOR BRIEFING ON
DEFENDANT'S MOTIONS TO TRANSFER
AND TO DISMISS THE COMPLAINT,
AND TO CONTINUE INITIAL
SCHEDULING CONFERENCE TO
NOVEMBER 18, 2025

(ECF No. 6)

On June 25, 2025, the parties filed a stipulation to set deadlines for briefing on anticipated motions. (ECF No. 6.) The parties proffer that on June 24, 2025, they agreed to stipulate and request entry of an order setting a modified briefing schedule to allow the Defendant to file a motion to transfer before filing and briefing an anticipated motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(1), 12(b)(2), and 12(b)(6) without any waiver of Defendant's right to bring these or any other motions challenging jurisdiction and/or sufficiency of the pleadings. (Id. at 2.) The parties also agreed to continue the July 17, 2025 scheduling conference in anticipation of these motions. The Court finds good cause to enter the parties' stipulation.

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Accordingly, pursuant to the terms of the stipulation, IT IS HEREBY ORDERED that:

1. Defendant shall file its motion to transfer by **June 30, 2025**;¹
2. Plaintiffs' opposition to the anticipated motion to transfer shall be filed no later than **July 21, 2025**;
3. Defendant's reply, if any, in support of its motion to transfer shall be filed no later than **August 4, 2025**;
4. A hearing on the motion to transfer will be set for August 18, 2025, at 9:00 a.m., or as soon thereafter as convenient for the Court.
5. If the Court grants the motion to transfer, Defendant shall file its motion to dismiss or any other motion or responsive pleading to the operative complaint in the transferee court on a date to be determined by the parties and the transferee court;
6. If the Court denies the motion to transfer, Defendant shall file its motion to dismiss or any other motion or responsive pleading to the operative complaint, within twenty-one (21) days of the Court's ruling on Defendant's motion to transfer; and
7. The initial scheduling conference shall be continued to **November 18, 2025 at 11:30 a.m.** in Courtroom 9 before Magistrate Judge Stanley A. Boone. A Joint Scheduling Report is due **one week** before the new conference date.

IT IS SO ORDERED.

Dated: **June 26, 2025**



STANLEY A. BOONE
United States Magistrate Judge

¹ The parties' stipulation agrees that "Defendant shall file its Transfer and Personal Jurisdiction Motion by June 30, 2025" (ECF No. 6 at 3); however, the proposed order and other language in the stipulation indicates Defendant will only file a motion to transfer by June 30, 2025. The Court enters the language contained in the parties' proposed order.